

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chairman Gregory D. Barkus, on February 17, 2009
at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Gregory D. Barkus, Chairman (R)
Sen. Joe Balyeat (R)
Sen. Debby Barrett (R)
Sen. Steven Gallus (D)
Sen. Trudi Schmidt (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. John Brenden, Vice Chairman (R)
Sen. Larry Jent (D)
Sen. Jim Shockley (R)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 404, 2/11/2009

Executive Action: SB 404

Sen. Shockley came to the committee after roll call.

HEARING ON SB 404

Opening Statement by Sponsor:

00:01:18 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 404, Revise laws relating to the location of shooting preserves.

00:03:19 Sen. Jent came to the committee.

Proponents' Testimony:

00:05:10 Bill Warden, Self

[EXHIBIT\(fis37a01\)](#)

[EXHIBIT\(fis37a02\)](#)

Opponents' Testimony:

None

Informational Testimony:

00:10:47 Joe Maurier, Acting Director, Fish Wildlife and Parks (FWP)

[EXHIBIT\(fis37a03\)](#)

Questions from Committee Members and Responses:

00:15:11 Sen. Tropila

00:15:23 Sen. Brueggeman

00:15:33 Sen. Barrett

00:16:01 Sen. Brueggeman

00:16:24 Sen. Barrett

00:16:26 Sen. Brueggeman

00:17:44 Sen. Balyeat

00:19:02 Mr. Maurier, FWP

00:19:49 Sen. Balyeat

00:20:12 Mr. Maurier, FWP

00:20:31 Tim Feldner, Commercial Wildlife Permit Manager, FWP

00:21:27 Sen. Balyeat

00:22:15 Mr. Feldner, FWP

00:22:58 Sen. Schmidt

00:23:16 Mr. Maurier, FWP

00:23:18 Sen. Schmidt

00:23:28 Mr. Maurier, FWP

00:24:27 Sen. Schmidt

00:24:45 Mr. Maurier, FWP

00:25:15 Sen. Brueggeman
 00:25:39 Sen. Schmidt
 00:25:43 Mr. Feldner, FWP
 00:26:31 Sen. Schmidt
 00:26:40 Mr. Feldner, FWP
 00:26:47 Sen. Schmidt
 00:26:51 Mr. Feldner, FWP
 00:27:29 Chairman Barkus
 00:28:10 Mr. Feldner, FWP
 00:29:12 Chairman Barkus
 00:30:00 Mr. Feldner, FWP
 00:31:11 Chairman Barkus
 00:31:26 Mr. Feldner, FWP
 00:31:34 Sen. Balyeat
 00:31:59 Mr. Feldner, FWP
 00:32:15 Sen. Balyeat
 00:32:29 Mr. Feldner, FWP
 00:33:13 Sen. Balyeat
 00:33:21 Sen. Tropila

Closing by Sponsor:

00:33:48 Sen. Brueggeman

Additional Discussion:

00:36:18 Chairman Barkus

EXECUTIVE ACTION ON SB 404

00:36:50 **Motion:** Sen. Gallus moved that **SB 404 DO PASS.**

Discussion:

00:37:07 Sen. Shockley
 00:37:15 Chairman Barkus
 00:37:23 Sen. Schmidt
 00:37:30 Chairman Barkus
 00:37:45 Sen. Balyeat
 00:38:20 Chairman Barkus
 00:38:23 Sen. Balyeat
 00:38:56 Chairman Barkus
 00:38:59 Sen. Balyeat
 00:39:20 Sen. Shockley
 00:39:56 Chairman Barkus
 00:39:59 Hope Stockwell, Legislative Service Division, (LSD)
 00:40:08 Sen. Shockley

00:40:38 Sen. Jent put forth a conceptual amendment "Each shooting preserve must be restricted to no more than 19 or 20 continuous acres and shall not be located closer than 10 miles of another preserve areas that will not substantially..."

00:42:11 **Motion:** Sen. Jent moved **SB 404 BE CONCEPTUALLY AMENDED.**

Discussion:

00:42:17 Sen. Gallus

00:42:37 Sen. Jent

00:42:48 Sen. Balyeat

00:43:05 Sen. Gallus

00:44:03 **Motion:** Sen. Jent withdrew motion that **SB 404 BE CONCEPTUALLY AMENDED.**

00:44:12 Sen. Gallus

00:44:15 **Motion:** Sen. Shockley moved that **SB 404 BE CONCEPTUALLY AMENDED.** "West of the Divide two miles between hunting preserves. East of the divide way it is now, 10 miles."

Discussion:

00:44:35 Mrs. Stockwell, LSD

00:45:00 Sen. Shockley

00:45:06 Chairman Barkus

00:45:30 Sen. Gallus

00:45:50 Sen. Shockley

00:46:00 Chairman Barkus

00:46:03 Sen. Schmidt

00:46:09 Sen. Shockley

00:46:20 Chairman Barkus

00:46:26 Sen. Shockley

00:46:30 Sen. Barrett

00:46:49 Chairman Barkus

00:46:58 Sen. Barrett

00:47:03 Sen. Tropila

00:47:05 Sen. Balyeat

00:48:05 Chairman Barkus

00:48:32 Sen. Gallus

00:48:33 Chairman Barkus

00:48:36 Sen. Gallus

00:48:44 Chairman Barkus

00:48:46 Sen. Schmidt

00:48:49 Chairman Barkus

00:49:12 **Motion:** Sen. Shockley moved to withdraw his motion that **SB 404 BE CONCEPTUALLY AMENDED**. Without objection it was withdrawn.

Discussion:

00:49:21 Sen. Schmidt
 00:49:59 Sen. Gallus
 00:51:09 Sen. Schmidt
 00:51:40 Chairman Barkus
 00:51:47 Sen. Tropila
 00:51:55 Sen. Shockley
 00:52:01 Sen. Schmidt
 00:52:17 Chairman Barkus
 00:52:57 Sen. Shockley
 00:52:58 Sen. Schmidt
 00:53:02 Chairman Barkus

00:53:14 **Vote:** Motion that **SB 404 DO PASS** carried unanimously by voice vote. Sen. Brenden voted by proxy.

Additional Business:

00:53:45 Chairman Barkus
 00:53:48 Sen. Schmidt
 00:53:57 Sen. Balyeat
 00:54:14 Sen. Shockley
 00:54:15 Sen. Balyeat
 00:54:19 Sen. Gallus
 00:54:55 Chairman Barkus
 00:55:23 Sen. Shockley
 00:55:26 Chairman Barkus

ADJOURNMENT

Adjournment: 3:56 P.M.

Lindsey Hern, Secretary

lh

Additional Documents:

EXHIBIT ([fis37aad.pdf](#))